

Written Comments of the New England Cable & Telecommunications Association

The Energy & Technology Committee

Senate Bill 352: AAC Telecommunications Providers' Subscriber Lists

March 4, 2010

The New England Cable and Telecommunications Association, Inc. ("NECTA") is the trade association representing most cable communications companies and their affiliates in Connecticut. NECTA's Connecticut members have invested more than one billion dollars over the past decade to upgrade their plant and equipment for advanced services, enabling them to offer consumers robust and innovative services and packages, including triple play bundles of video, data and voice services.

NECTA respectfully offers these written comments in opposition to the passage of Senate Bill 352: AAC Telecommunications Providers' Subscriber Lists, a bill that requires entities that use numbering resources in Connecticut to provide voice service to make their subscriber listings available to any directory publisher that requests such listings.

Over the past decade, the manner by which customers communicate has changed dramatically, with wireless, facilities-based VoIP, text, and email, among others, offering Connecticut residents a variety of quality alternatives to traditional legacy land-line telephone service. This innovation and competition has dramatically reduced the price of voice service for Connecticut's business and residential consumers. A primary reason for this pro-consumer landscape in which robust competition is able to flourish is the

deregulatory framework that has been adopted by the Connecticut legislature and the DPUC.

As the voice services marketplace has dramatically evolved, so have consumers' choices to obtain information about telephone subscriber listings. Consumers no longer need to rely upon one proprietary traditional telephone directory, usually published by or branded for the monopoly incumbent telephone provider and unavailable in other sources or other forms, to access telephone subscriber information. Today, WhitePages.com and Google, to name a few, offer consumers convenient and reliable access to telephone subscriber information, through arrangements with entities that compile and maintain this information.

Just as the technology by which voice service is delivered has rapidly changed, so too have the methods of providing and compiling subscriber listing information. Service providers using innovative and new technologies such as VoIP have built their services around efficient networks that have largely dispensed with unnecessary equipment and legacy technologies. In turn, various competitive directory listing services have adapted to these new technologies. In this way, innovation has spurred competition, which benefits Connecticut customers.

But certain directory listing publishers continue to use decades old legacy directory listing databases that are not compatible with newer technologies used by VoIP carriers. Instead, these traditional directory publishers force carriers to incur operational and

administrative costs to provide their subscriber listing information using legacy operating and directory listing ordering systems. To comply with the mandate of the bill, carriers who use innovative voice technologies would essentially have to downgrade and adapt their systems to each specific incumbent publisher's legacy directory listing ordering process. This situation creates anti-competitive results that would be inconsistent with the public interest. This is especially troubling given that Connecticut voice customers have a variety of directory listing options.

For these reasons, NECTA does not support a new state mandate that would require currently unregulated voice providers to make their subscriber listings available to any directory publisher that requests such listings, thereby imposing new costs on operators in today's competitive voice services market.

In today's era of robust voice competition, Senate Bill 352 would impose additional costs on providers of voice service and could have the unintended consequence of subsidizing one method of compiling and listing telephone numbers at a time when rapid advances in technology make many methods possible.

Thank you for this opportunity to file written comments.